

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Demian Joseph Pina,

Petitioner,

v.

**Case No. 3:15-cv-080
Judge Thomas M. Rose**

**United States Marshal for the Southern District
of Ohio,**

Respondent.

**DECISION AND ENTRY ADOPTING REPORT AND
RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE
MERZ (DOC. 7), OVERRULING PETITIONER'S OBJECTIONS TO THE
MAGISTRATE'S FINDINGS AND RECOMMENDATIONS, (DOC. 8), AND
DENYING MOTION FOR LEAVE TO APPEAL *IN FORMA PAUPERIS*,
(DOC. 6).**

Pending before the Court are Petitioner Demian Joseph Pina's Objections to the Magistrate's Report and Recommendations. (Doc. 8). The Report and Recommendations of United States Magistrate Judge Michael R. Merz, (Doc. 7), recommends that the Court deny Petitioner's Motion for Leave to Appeal *in forma pauperis*. (Doc. 6).

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that Plaintiff's objections, (Docs. 8), to the Magistrate Judge's Report and Recommendations, (Doc. 7), are not well taken and they are hereby **OVERRULED**. Wherefore, the Court **DENIES** the Motion (Doc. 6). The case remains closed.

DONE and **ORDERED** this Wednesday, January 13, 2016.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE